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Applicants: **Huddleston et al**
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RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A response to the July 18, 2008 Notification of Non-Compliant Appeal Brief is hereby submitted. Please find enclosed replacement pages 9 and 10 of the Appeal Brief submitted on June 30, 2008. The description of claims 18 and 21 have been corrected to include the reference to the specification and the drawings.

Although fees are not anticipated for filing these replacement pages, the Commissioner is hereby authorized to charge any fees that may be required or credit any overpayments to Deposit Account No. **50-3435**.

Respectfully submitted,

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is capable of performing; a processor 304 coupled to the function interface for controlling the WIAD; and a communication port (306, 322) coupled to the processor for identifying the intelligent device and the desired function to the web site through the wireless communication network and for receiving a response from the web site, wherein the processor is programmed (see memory 308 and various instructions) to receive from the web site only a subset of the control instructions (316) for controlling the intelligent device to perform the desired function; and forward (318) the subset of the control instructions from the WIAD to the intelligent device to effect the desired function, wherein the WIAD is capable of controlling only a portion of all functions that the intelligent device is capable of performing. See discussion of FIG. 3 beginning at page 7, line 17 and going through page 9.

Claim 18 defines a web site (see FIG. 4) for facilitating command brokering on behalf of an intelligent device through a wireless communication network via a wireless internet access device (WIAD), the web site comprising: a communication port (402) for communicating via the wireless communication network with the WIAD; and a processor (404) coupled to the communication port for controlling the web site, wherein the processor is arranged and programmed (see memory 408 and various instructions) to access control instructions (414) for the intelligent device; receive via the wireless communication network from the WIAD an identification of the intelligent device and an identification of a desired function (412) to be performed by the intelligent device, the desired function being only a portion of all functions that can be performed by the intelligent device; and return only a subset (416) of the control instructions to the WIAD for forwarding to the intelligent device to effect the desired function, wherein the WIAD never has a complete set of the control instructions for the intelligent device. See discussion of FIG. 4 beginning at page 10, line 1 and going to page 11, line 7.

Claim 21 is a variation of claim 1 (see claim 1 summary above) and defines a method for command brokering on behalf of an intelligent device, comprising the steps of: defining in a wireless internet access device (WIAD) a desired function to be performed by the intelligent device; identifying the intelligent device and explicitly identifying the desired function to a web site having access to control instructions for the intelligent device by the WIAD, through a wireless communication network; returning, to the WIAD from the web site, only a subset of the

control instructions for controlling the intelligent device to perform the desired function; and forwarding the subset of the control instructions from the WIAD to the intelligent device to effect the desired function, wherein the WIAD is capable of controlling only a portion of all functions that the intelligent device is capable of performing. A discussion of FIG. 5 starts on page 11 first full paragraph and continues through page 12.